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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2013-869*

12 **RAYMOND WESLEY OLSON**  
25343 Silver Aspen Way, Apt. 922  
13 Valencia, CA 91381

**A C C U S A T I O N**

14 **Registered Nurse License No. 771145**

15 Respondent.  
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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about March 25, 2010, the Board of Registered Nursing issued Registered  
23 Nurse License Number 771145 to Raymond Wesley Olson (Respondent). The Registered Nurse  
24 License was in full force and effect at all times relevant to the charges brought herein and will  
25 expire on November 30, 2013, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

"(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

5. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

....

"(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section."

6. Section 125.3 of the Code provides, in pertinent part, that the Board/Registrar/Director may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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7. Health & Safety Code section 11173(a), states that no person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge.

8. Health & Safety Code section 11173(b), states that no person shall make a false statement in any prescription, order, report, or record, required by this division.

9. Health and Safety Code section 11350 states, in pertinent part that except as otherwise provided in this division, every person who possesses any controlled substance which is a narcotic drug, unless upon the written prescription of a physician licensed to practice in this state, shall be punished by imprisonment in the state prison.

## CONTROLLED SUBSTANCES

10. **“Hycodan”** a narcotic, is a combination of Hydrocodone Bitartrate and Homatropine Methylbromide and is used for the treatment of cough. It is classified as a Schedule III narcotic pursuant to Health and Safety Code section 11056.

11. **“Morphine Sulfate”** (alkaloid of opium) is a dangerous drug as defined in section 4022 of the Code. It is classified as a Schedule II controlled substance as listed in Health and Safety Code section 11055(b)(1)(L).

12. **“Percocet”** is a trade name for oxycodone hydrochloride and oxycodone terephthalate with the non-narcotic substance Acetamininophen and is a dangerous drug as defined by section 4022. It is classified as a Schedule III narcotic pursuant to Health and Safety Code section 11056.

13. “**Vicodin**” is a trade name for hydrocodone or Dihydrocodeinone and is a dangerous drug as defined by section 4022. It is classified as a Schedule III controlled substance pursuant to Health and Safety Code section 11056(e)(3).

14. “**Lortab**” is another trade name for hydrocodone or Dihydrocodeinone and is a dangerous drug as defined by section 4022. It is classified as a Schedule III controlled substance pursuant to Health and Safety Code Section 11056 (e) (3).

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**Providence Saint Joseph Medical Center**

15. Respondent began his employment at Providence Saint Joseph Medical Center (St. Joseph) in January, 2010 and worked there until approximately April 5, 2011. Respondent began his employment at St. Joseph as a registry nurse and became a permanent employee in May, 2010. His usual shift was 19:00 hours to 07:30 hours.

**FIRST CAUSE FOR DISCIPLINE**

(Falsification, Grossly Incorrect or Grossly Inconsistent Entries)

16. Respondent is subject to disciplinary action under section 2761, subdivisions (a) and (d), defined by section 2762, subdivision (e), and California Code of Regulations, title 16, section 1444, subdivision (c), in that, while on duty as a registered nurse at St. Joseph, Respondent falsified, or made grossly incorrect, or grossly inconsistent entries, in hospital and patient records as described herein:

a. Patient MR#N00961688

On or about March 3, 2011, Respondent was on duty at this hospital. At 19:43 hours, Respondent signed out one tablet of Oxycodone/Acetamin by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 5 mg. tablet of Oxycodone/Acetamin every three (3) hours. At 22:39 hours, Respondent signed out one tablet of Oxycodone/Acetamin for this patient by entering his access code into the Pyxis Report. Respondent failed to account for the administrations of two tablets of this drug to this patient in any hospital record.

On or about March 4, 2011, Respondent was on duty at this hospital. At 02:04 hours, Respondent signed out one tablet of Oxycodone/Acetamin by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 5 mg. tablet of Oxycodone/Acetamin every three (3) hours. At 05:41 hours, Respondent signed out one tablet of Oxycodone/Acetamin for this patient by entering his access code into the Pyxis Report. Respondent failed to account for the administrations of two tablets of this drug to this patient in any hospital record.

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1           b.    Patient MR#N10980928

2           On or about March 3, 2011, Respondent was on duty at this hospital. At 19:43 hours,  
3 Respondent signed out one tablet of Oxycodone/Acetamin by entering his personalized access  
4 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
5 tablets of Oxycodone/Acetamin every four (4) hours. At 20:58 hours, Respondent signed out one  
6 tablet of Oxycodone / Acetamin for this patient by entering his access code into the Pyxis Report.  
7 Respondent also signed out two tablets of Oxycodone/Acetamin at 22:39. Respondent recorded  
8 the administrations of this drug to this patient at 19:00 and 23:00, however, he failed to account  
9 for the administration of one tablet of this drug to this patient in any hospital record.

10          On or about March 4, 2011, Respondent was on duty at this hospital. At 02:04 hours,  
11 Respondent signed out two tablets of Oxycodone/Acetamin by entering his personalized access  
12 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
13 tablet of Oxycodone/Acetamin every four (4) hours. At 03:07 hours, Respondent signed out one  
14 tablet of Oxycodone/Acetamin for this patient by entering his access code into the Pyxis Report.  
15 Respondent recorded the administration of this drug to this patient at 05:41, however, he failed to  
16 account for the administrations of two tablets of this drug to this patient in any hospital record.

17           c.    Patient MR#N11065257

18          On or about March 7, 2011, Respondent was on duty at this hospital. At 19:55 hours,  
19 Respondent signed out two tablets of Oxycodone/Acetamin by entering his personalized access  
20 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
21 tablet of Oxycodone/Acetamin every four (4) hours. At 22:24 hours, Respondent signed out two  
22 tablets of Oxycodone/Acetamin for this patient by entering his access code into the Pyxis Report.  
23 At 23:01 hours, Respondent signed out two tablets of Oxycodone/Acetamin for this patient by  
24 entering his access code into the Pyxis Report. Respondent recorded the administration of this  
25 drug to this patient at 19:30, however, he failed to account for the administration of four tablets of  
26 this drug to this patient in any hospital record.

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1 On or about March 8, 2011, Respondent was on duty at this hospital. At 01:59 hours,  
2 Respondent signed out two tablets of Oxycodone/Acetamin by entering his personalized access  
3 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
4 tablets of Oxycodone/Acetamin every four (4) hours. At 04:19 hours, Respondent signed out two  
5 tablets of Oxycodone/Acetamin for this patient by entering his access code into the Pyxis Report.  
6 The physician's order for this drug was discontinued for this patient at 16:07. At 19:40 hours,  
7 Respondent signed out two tablets of Oxydocone/Acetamin for this patient by entering his access  
8 code into the Pyxis Report. He also signed out two tablets for this patient at 22:30 hours and  
9 23:40 hours. Respondent recorded the administrations of this drug to this patient at 02:45 and  
10 06:45, however, he failed to account for the administration of six tablets of this drug to this  
11 patient in any hospital record.

12 d. Patient No. 11115649

13 On or about March 14, 2011, Respondent was on duty at this hospital. At 19:49 hours,  
14 Respondent signed out one tablet of Hydrocodone/Acetamin by entering his personalized access  
15 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one tablet  
16 of Hydrocodone /Acetamin every six (6) hours. At 20:26 hours, Respondent signed out one tablet  
17 of Hydrocodone /Acetamin for this patient by entering his access code into the Pyxis Report. He  
18 also signed out one tablet for this patient at 21:59 and at 21:59:27. Respondent recorded the  
19 administrations of this drug to this patient at 19:00, 21:59, and at 23:00, however, he failed to  
20 account for the administrations of two tablets of this drug to this patient in any hospital record.  
21 Moreover, the administrations that he did record did not follow the physician's orders and/or  
22 hospital protocol.

23 On or about March 15, 2011, Respondent was on duty at this hospital. At 03:13:01 hours,  
24 Respondent signed out one tablet of Hydrocodone / Acetamin by entering his personalized access  
25 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one tablet  
26 of Hydrocodone /Acetamin every six (6) hours. At 3:13:11 hours, Respondent signed out one  
27 tablet of Hydrocodone /Acetamin for this patient by entering his access code into the Pyxis  
28 Report. Respondent recorded the administration of this drug to this patient at 03:00 and 06:30.

1 These administrations do not follow the physician's orders and/or hospital protocol. Moreover,  
2 Respondent had already administered 2 mg of Morphine Sulfate to this patient at 02:30 as  
3 referenced below.

4 On or about March 15, 2011, Respondent was on duty at this hospital. At 03:41 hours,  
5 Respondent signed out 2 mg of Morphine Sulfate by entering his personalized access code into  
6 the Pyxis as reflected in the Pyxis Activity report. Physician's order was for 2 mg. of Morphine  
7 Sulfate by IV every two (2) hours. Respondent recorded the administration of this drug to this  
8 patient at 02:30, however, he also recorded administering one tablet of Hydrocodone (Vicodin)  
9 to this patient at 03:00 as referenced above.

10 e. Patient MR#N011135878

11 On or about March 15, 2011, Respondent was on duty at this hospital. At 19:57 hours,  
12 Respondent signed out 4 mg. of Morphine Sulfate by entering his personalized access code in the  
13 Pyxis as reflected in the Pyxis Activity report. Physician's order was for 4 mg. of Morphine  
14 every hour for moderate pain and 8 mg of Morphine every hour for severe pain. At 22:31 hours,  
15 Respondent signed out 8 mg of Morphine for this patient by entering his access code into the  
16 Pyxis Report. Respondent failed to account for the administration of the 12 mg of Morphine to  
17 this patient in the hospital record.

18 On or about March 16, 2011, Respondent was on duty at this hospital. At 00:07:03 hours,  
19 Respondent signed out 4 mg of Morphine by entering his personalized access code into the Pyxis  
20 as reflected in the Pyxis Activity report. Physician's order was for 4 mg. of Morphine every hour  
21 for moderate pain and 8 mg of Morphine every hour for severe pain. Respondent failed to  
22 account for the administration of the 4 mg. of Morphine to this patient in any hospital record.

23 f. Patient MR#N11108867

24 On or about March 17, 2011, Respondent was on duty at this hospital. At 20:37 hours,  
25 Respondent signed out two tablets of Oxycodone/Acetaminin by entering his personalized access  
26 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two tablets  
27 of Oxycodone / Acetamin every four (4) hours. At 22:14 hours, Respondent signed out two  
28 tablets of Oxycodone / Acetamin for this patient by entering his access code into the Pyxis

1 Report. At 23:15:05 hours, Respondent signed out two tablets of Oxycodone/Acetaminin for this  
2 patient by entering his access code into the Pyxis Report. At 23:15:22, Respondent signed out  
3 one tablet of Oxycodone/Acetaminin for this patient on two separate occasions by entering his  
4 personalized access code two times into the Pyxis as reflected in the Pyxis Activity Report.  
5 Respondent recorded the administrations of this drug to this patient at 19:00 and 23:00, however,  
6 he failed to account for the administration of the four remaining tablets of this drug to this patient  
7 in any hospital record.

8 On or about March 18, 2011, Respondent was on duty at this hospital. At 02:23 hours,  
9 Respondent signed out two tablets of Oxycodone/Acetaminin by entering his personalized access  
10 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
11 tablets of Oxycodone/Acetaminin every four (4) hours. At 19:28 hours, Respondent signed out  
12 two tablets of Oxycodone/Acetaminin for this patient by entering his access code into the Pyxis  
13 Report. At 22:52 hours, Respondent signed out two tablets of Oxycodone/Acetaminin for this  
14 patient by entering his access code into the Pyxis Report. At 22:52:47, Respondent signed out 2  
15 more tablets of Oxydonone /Acetamin for this patient. Respondent recorded the administrations  
16 of this drug to this patient at 03:00, 06:59, 19:30, 23:15, and 23:45, however, he failed to account  
17 for the administrations of two tablets of this drug to this patient in any hospital record.

18 On or about March 19, 2011, Respondent was on duty at this hospital. At 02:59 hours,  
19 Respondent signed out two tablets of Oxycodone / Acetamin by entering his personalized access  
20 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
21 tablets of Oxycodone/Acetaminin every four (4) hours. At 19:33 hours, Respondent signed out  
22 two tablets of Oxycodone/Acetaminin for this patient by entering his access code into the Pyxis  
23 Report. At 21:40:30 and 21:40:43, Respondent signed out 2 tablets for a total of four tablets, of  
24 Oxcodone /Acetamin for this patient. Respondent recorded the administration of this drug to this  
25 patient at 06:13, 19:30, and 23:00, but failed to account for the administration of two tablets of  
26 this drug to this patient in any hospital record.

27 On or about March 20, 2011, Respondent was on duty at this hospital. At 02:11 hours,  
28 Respondent signed out two tablets of Oxycodone/Acetaminin by entering his personalized access



code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg. tablets of Oxycodone / Acetamin every four (4) hours. Respondent recorded the administration of a total of four tablets of this drug to this patient at 02:30 and at 06:15, in the hospital record, however, he did not sign out a total of four tablets of this drug.

On or about March 17, 2011, Respondent was on duty at this hospital. At 21:54 hours, Respondent signed out 2 mg. of Morphine Sulfate by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for 2 mg. of Morphine Sulfate every hour for severe pain. At 23:14 hours, Respondent signed out 2 mg. of Morphine Sulfate for this patient by entering his access code into the Pyxis Report. Respondent recorded the administration of this drug to this patient at 19:00, 20:00, 21:30, and 23:00, however, he recorded administrations of this drug to this patient for which he did not sign out.

On or about March 18, 2011, Respondent was on duty at this hospital. At 00:14.32 hours, Respondent signed out 2 mg. of Morphine Sulfate by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for 2 mg. of Morphine Sulfate IV every hour for severe pain. At 00:14:41 hours, Respondent signed out 2 mg. of Morphine Sulfate for this patient by entering his access code into the Pyxis Report. Respondent also signed out 2 mg. of Morphine Sulfate for this patient at 02:23, 02:40:18, 02:40:26, 04:17, 05:36, and 05:48. Respondent recorded the administration of this drug to this patient at 00:00, 01:00, 03:00, 05:00, and 06:59, however, he failed to account for the administration of 6 mg. of this drug to this patient in any hospital record, moreover, his administration of this drug did not conform to the physician's orders.

g. Patient MR#N011120797

On or about March 14, 2011, Respondent was on duty at this hospital. At 23:56:08 hours, Respondent signed out one tablet of Oxycodone/Acetaminin by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 5 mg. tablet of Oxycodone / Acetamin every three (3) hours. Respondent recorded the administration of this drug to this patient at 21:00, which was nearly three hours prior to signing out this drug for this patient in the hospital record.

On or about March 15, 2011, Respondent was on duty at this hospital. At 01:30:16 and at 01:30:30 hours, Respondent signed out one tablet of Oxycodone/Acetaminin by entering his personalized access code twice at the aforementioned times into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 5 mg. tablet of Oxycodone/Acetaminin every three (3) hours. At 03:11:54 and 03:12:47 hours, Respondent signed out one tablet of Oxycodone/Acetaminin for this patient by entering his access code twice into the Pyxis Report. Respondent recorded the administration of this drug to this patient at 00:00, 03:00, and 05:22. Respondent failed to account for the administration of one tablet of this drug to this patient in any hospital record. Moreover, the aforementioned administration of this drug to the patient does not conform to physician's orders, and on at least two occasions, occurred prior to Respondent signing out for the drugs.

On or about March 20, 2011, Respondent was on duty at this hospital. At 05:59 hours, Respondent signed out one tablet of Oxycodone / Acetamin by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 5 mg. tablet of Oxycodone/Acetaminin every three (3) hours. At 20:48:37 hours, Respondent signed out one tablet of Oxycodone/Acetaminin for this patient by entering his access code into the Pyxis Report. At 22:39:34 hours, Respondent signed out one tablet of Oxycodone/Acetaminin for this patient by entering his access code into the Pyxis Report. Respondent signed out one tablet of Oxycodone/ Acetamin for this patient at 23:55:42. Respondent recorded the administration of this drug to this patient at 19:00 and 22:00, however, he failed to account for the administration of two tablets of this drug to this patient in any hospital record. Moreover, the administrations of this drug to this patient does not conform to physician's order and were administered prior to being signed out by Respondent.

On or about March 14, 2011, Respondent was on duty at this hospital. At 23:59:07 hours, Respondent signed out 5 ml. of Hycodan by entering his personalized access code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 5 ml. Hydrocodone/ Homatropine (Hycodone) 5 ml. po every 6 hours prn. Respondent recorded the administration of  
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1 this drug to this patient at 22:00, which is two hours before he signed the drug out for this patient  
2 in the hospital record.

3 On or about March 15, 2011, Respondent was on duty at this hospital. At 01:30:43 hours,  
4 Respondent signed out 5 ml. of Hycodan by entering his personalized access code into the Pyxis  
5 as reflected in the Pyxis Activity report. Physician's order was for 5 ml. of  
6 Hydrocodone/Homatropine (Hycodan) by mouth every six (6) hours. Respondent recorded the  
7 administration of this drug to this patient at 05:00, however, he failed to account for the  
8 administration of 5 ml. of this drug to this patient in the hospital record.

9 On or about March 20, 2011, Respondent was on duty at this hospital. At 20:48:50 hours,  
10 Respondent signed out one tablet of Hydrocodone / Acetamin by entering his personalized access  
11 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for 7.5 mg.  
12 tablet of Hydrocodone /Acetamin every six (6) hours. Respondent recorded the administration of  
13 this drug to this patient at 22:00, which is over an hour after he signed out for this patient in the  
14 hospital record.

15 h. Patient MR#N011035201

16 On or about March 9, 2011, Respondent was on duty at this hospital. At 20:05:09 hours,  
17 Respondent signed out one tablet of Hydrocodone /Acetamin by entering his personalized access  
18 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for one 7.5  
19 mg. tablet of Hydrocodone / Acetamin every six (6) hours. At 20:24:36 hours, Respondent  
20 signed out one tablet of Hydrocodone / Acetamin for this patient by entering his access code into  
21 the Pyxis Report. At 23:56:30 and 23:56:43 hours, Respondent signed out one table of  
22 Hydrocodone /Acetamin for this patient by entering his access code twice into the Pyxis Report.  
23 Respondent recorded the administration of this drug to this patient at 19:30 and 23:00, however,  
24 he failed to account for the administration of two tablets of this drug to this patient in the hospital  
25 record on March 9, 2011. On March 10, 2011 at 03:00 and 06:22 hours, Respondent recorded the  
26 administration of this drug to this patient, but did not sign out any drugs for this patient that day.

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1 i. Patient MR#N011102654

2 On or about March 15, 2011, Respondent was on duty at this hospital. At 21:39 hours,  
3 Respondent signed out one tablet of Hydrocodone / Acetamin by entering his personalized access  
4 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
5 tablets of Hydrocodone /Acetamin every six (6) hours. Respondent recorded the administration  
6 of this drug to this patient at 19:00, which is over two and half hours before Respondent signed  
7 out this drug for this patient in the hospital record.

8 On or about March 16, 2011, Respondent was on duty at this hospital. At 01:48 hours,  
9 Respondent signed out two tablets of Hydrocodone /Acetamin by entering his personalized access  
10 code into the Pyxis as reflected in the Pyxis Activity report. Physician's order was for two 5 mg.  
11 tablets of Oxycodone / Acetamin every six (6) hours. Respondent recorded the administration of  
12 this drug to this patient at 01:00, which is 48 minutes before Respondent signed out of this drug  
13 for this patient in the hospital record.

14 SECOND CAUSE FOR DISCIPLINE

15 (Obtained and Possessed Controlled Substances)

16 17. Respondent is subject to disciplinary action pursuant to section 2761, subdivision (a),  
17 on the grounds of unprofessional conduct as defined in section 2762, subdivision (a), in that  
18 Respondent obtained controlled substances, by fraud, deceit, misrepresentation or subterfuge in  
19 violation of Health and Safety Code sections 11173, subdivisions (a) and (b), when he took the  
20 controlled substances from Saint Joseph's Medical Center, as set forth above in paragraph 16(a)  
21 through (i).

22 THIRD CAUSE FOR DISCIPLINE

23 (Possession of Controlled Substances and Dangerous Drugs)

24 18. Respondent is subject to disciplinary action pursuant to section 2761, subdivision (a),  
25 as defined in section 2762, subdivision (a), and in that Respondent obtained and possessed the  
26 controlled substances without and/or in violation of physicians' orders, as set forth above in  
27 paragraph 16 (a) through (i).

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PRAYER


WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 771145, issued to Raymond Wesley Olson

2. Ordering Raymond Wesley Olson to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: APRIL 8, 2013

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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